

**-COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services		(2) MEETING DATE February 28, 2006		(3) CONTACT/PHONE Duane P. Leib (805)781-5200		lvf
(4) SUBJECT Request to approve a Resolution of Intention to Surplus and Sell County-Owned Real Property in the Unincorporated area of Paso Robles.						
(5) SUMMARY OF REQUEST Approval of the attached Resolution will set the date of April 11, 2006 for your Board to act on the surplus and sale of certain real property, APN 015-143-014, approximately one acre zoned Agricultural in the outskirts of Paso Robles, to the highest qualified bidder.						
(6) RECOMMENDED ACTION The Department of General Services recommends your Board approve the attached Resolution, authorize the Chairperson to execute said Resolution, and direct the Clerk of the Board to publish notice of the surplus and sale.						
(7) FUNDING SOURCE(S) 1130700000		(8) CURRENT YEAR COST \$1,500		(9) ANNUAL COST N/A		(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): County Counsel, County Planning, Ground Squirrel Hollow Community Services District						
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____						
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, All				(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)				(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A				(18) BUDGET ADJUSTMENT REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

(19) ADMINISTRATIVE OFFICE REVIEW

Michael Schneider

B-13
(2.28.06)

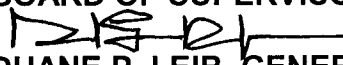


COUNTY OF SAN LUIS OBISPO

Department of General Services

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5200

DUANE P. LEIB, DIRECTOR

TO: BOARD OF SUPERVISORS
FROM:  DUANE P. LEIB, GENERAL SERVICES DIRECTOR
DATE: FEBRUARY 28, 2006
**SUBJECT: REQUEST TO APPROVE A RESOLUTION OF INTENTION TO
SURPLUS AND SELL COUNTY-OWNED REAL PROPERTY IN THE
UNINCORPORATED AREA OF PASO ROBLES**

RECOMMENDATION

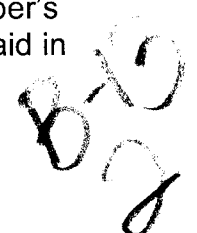
The Department of General Services recommends your Board approve the attached Resolution, authorize the Chairperson to sign said Resolution, and direct the Clerk of the Board to publish the notice of intention to surplus and sell.

DISCUSSION

The County of San Luis Obispo currently owns a parcel of land approximately one acre in size located in the outskirts of Paso Robles near Geneseo Road, APN 015-143-014. The property is zoned Agricultural and may be developed with a single-family residence. This parcel was acquired by the County in 1980 following property tax default.

Development in this neighborhood has been slow to occur due to the lack of access. This property is located on a portion of Reindeer Place that will be improved by a developer to CDF standards upon completion of a major grading permit that has been issued by County Planning. On December 20, 2005, the Board of Supervisors approved an Offer to Dedicate and a PG&E easement on the subject property to facilitate construction of the road and utilities. Upon completion, the roadway will be maintained by the Ground Squirrel Hollow Community Services District.

County Planning has issued a Certificate of Compliance for the lot, and the County Environmental Coordinator has issued a Mitigated Negative Declaration for the property due to its location in potential habitat of the San Joaquin Kit Fox. Approval of the Mitigated Negative Declaration will be on the Planning Commission's agenda for March 23, 2006, and the surplus and sale of this property will not proceed without such approval. The purchaser of this property will be obligated to the terms of a Developer's Statement which requires certain financial and construction measures be taken to aid in the survival of the kit fox and which will be fully stated in the Purchase Agreement signed by the purchaser.



The property was appraised at fair market value of \$130,000 by an independent appraiser. Based on the current appraisal, the Department of General Services, Real Property Services recommends a minimum opening bid of \$130,000 with bidding open to the public. The Department of General Services will market the property through classified ads and through direct contact with realtors and developers, and a for-sale sign will be placed on the property. No real estate commission will be offered.

Government Code section 25526 et.seq. allows the County Board of Supervisors, with a two-thirds vote, to declare its intention to sell surplus property not required for County use, in a manner and upon terms and conditions as set by the Board. Following the publication of legal notices, the Board of Supervisors is then authorized to conduct the surplus and sale through the auction process in accordance with Government Code Section 25363.

At the time and place fixed in the Resolution of Intent for the meeting of the Board of Supervisors, all sealed proposals that have been received shall, in public session, be opened, examined, and declared by the Board. Of the proposals submitted which conform to all terms and conditions specified in the Resolution of Intent to Surplus and Sell, and which are made by responsible bidders, the proposal which is the highest shall be finally accepted, unless a higher oral bid is accepted or the Board rejects all bids. Oral bids must exceed the highest written bid by at least 5% to be considered.

OTHER AGENCY INVOLVEMENT

County Planning Department has determined that the proposed disposition of property is in conformance with the General Plan of the County of San Luis Obispo. The County Environmental Coordinator has recommended a Mitigated Negative Declaration pursuant to the California Environmental Quality Act, which is pending approval by the Planning Commission prior to auction of the property. The Ground Squirrel Hollow Community Services District has confirmed that the property is located within their district and that Reindeer Place will be maintained by the district upon completion. County Counsel has reviewed and approved the Resolution as to form and legal effect.

FINANCIAL CONSIDERATION

The cost of evaluating and marketing the property will be approximately \$1,500 for appraisal, signage, classified ads, and mailings, and is included in the current budget. \$54,500 of the net proceeds from this sale shall be deposited to the Department of General Services, Real Property Services 1130700000, Account #4550190 Sale of Real Property in order to meet revenue projections for the 2005-06 budget. The balance of

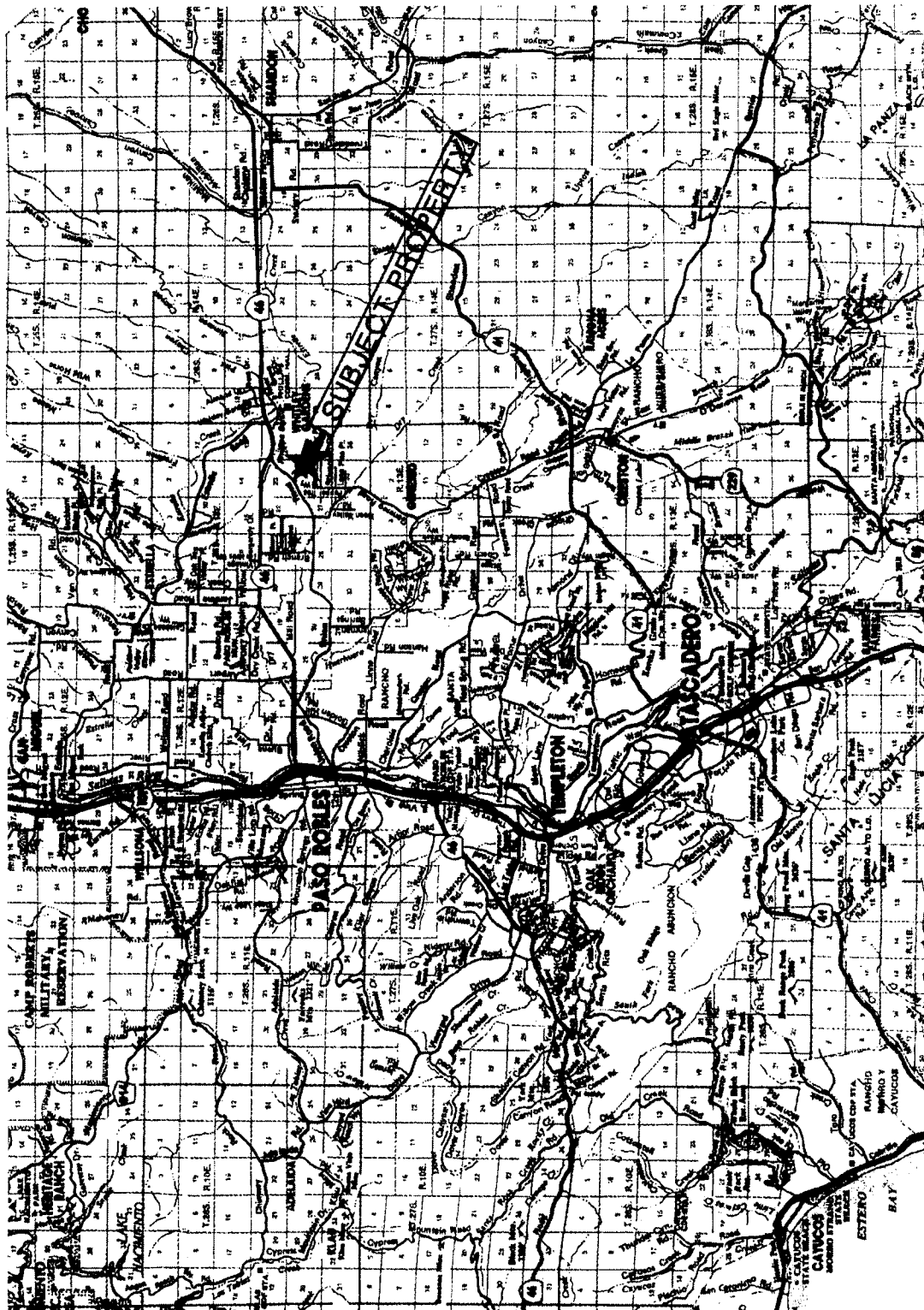
B-13
3

the net proceeds, which will be no less than \$75,500, shall be appropriated into Countywide Community Building Renovation Project 300074 for ongoing renovation and maintenance projects of the County's eleven community buildings. This appropriation will increase the account's balance after having completed the Cayucos Veterans Hall remodel, a project that required a commitment of \$74,000 from this account to add to grant funding in order complete the project.

RESULTS

Approval of the attached Resolution will set the date of April 11, 2006 for your Board to act on the surplus and sale of certain real property, APN 015-143-014 in the unincorporated area of Paso Robles, to the highest qualified bidder and will authorize the Clerk of the Board to place a legal notice of County's intent to sell in a County newspaper of general circulation.

B-13
4



VICINITY MAP

B-13
513

IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ Day _____, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION OF INTENTION TO SURPLUS AND SELL COUNTY-OWNED REAL PROPERTY IN THE UNINCORPORATED AREA OF PASO ROBLES

The following Resolution is hereby offered and read:

WHEREAS, the County of San Luis Obispo currently owns a parcel of land, zoned Agricultural, approximately one acre in size located in the unincorporated area outside of Paso Robles, Assessor's Parcel Number 015-143-014; and

WHEREAS, this parcel was acquired by the County of San Luis Obispo following property tax default in 1980; and

WHEREAS, this parcel is not necessary for County use; and

WHEREAS, Government Code Section 25526 provides that County-owned real property may be sold in accordance with the provisions of said code section after the adoption of a resolution by two-thirds vote of the members of the Board of Supervisors declaring the Board's intention to surplus and sell said property; and

WHEREAS, the County Planning Department has determined that the County's disposition of said real property is in conformity with the County General Plan; and

WHEREAS, the County Environmental Coordinator finds no substantial evidence that this surplus property sale may have a significant effect on the environment provided that kit fox mitigation measures are taken when the property is developed, and therefore has issued a Mitigated Negative Declaration pursuant to Public Resources Code Section 21000 et seq. and CA Code of Regulations Section 15000 et seq.; and

WHEREAS, the sale of this property will not occur prior to the approval by the County Planning Commission of the Mitigated Negative Declaration; and

WHEREAS, the kit fox mitigation requirements will be included in the terms of the purchase agreement with the purchaser when the property is sold by the County; and

B-13
7

WHEREAS, in November 2005 an independent appraisal company appraised the property and stated fair market value to be One Hundred Thirty Thousand Dollars (\$130,000.00); and

WHEREAS, a major grading permit issued to a neighboring property owner will provide legal access to the County's lot; and

WHEREAS, it is in the public interest to surplus and sell this parcel,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. Pursuant to Government Code 25526 the Board finds the property and all interests to be quitclaimed are not required for County use.

2. Pursuant to Government Code 25526 the Board declares its intention to surplus and sell real property to the highest qualified bidder.

3. Said sale shall be upon the following terms and conditions:

- a. The accepted bid price of no less than \$130,000 shall be payable in cash after approval of the County Board of Supervisors.
- b. The Chairperson of the Board of Supervisors shall be authorized to sign a Quitclaim Deed from the County of San Luis Obispo to the purchaser that shall be given to the County Real Property Manager to be either placed in escrow or to be given to the buyer upon receipt of the buyer's total funds by the County.
- c. No commission shall be payable to a real estate broker.
- d. County does not expressly or impliedly warrant marketability of title.
- e. The quitclaim deed shall record no later than May 26, 2006.

4. The Clerk of this Board is directed to give notice of this Board's intention to surplus and sell real property pursuant to Government Code Section 25526 with notice as per Government Code Sections 25528 and 6063 in a newspaper of general circulation published in the County.

6. This Board hereby sets April 11, 2006, or as soon as possible thereafter, in the chamber of the Board of Supervisors, New County Government Center, 1055 Monterey Street, San Luis Obispo as the time and place to act on the surplus and sale of the aforementioned real property.

7. That \$54,500 of net proceeds from this sale shall be deposited to the Department of General Services, Real Property Services Cost Center 1130700000, Sale of Real Property account #4550190 to satisfy budgetary obligations; and that \$75,500, plus any net proceeds in excess of the \$130,000 minimum sale price, shall be appropriated into Countywide Community Building Renovation Project 300074 for ongoing renovations projects of the County-owned community buildings.

Upon Motion of Supervisor _____, seconded by
Supervisor _____, and on the following roll call vote, to-wit:

B-13
8

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors


ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.

County Counsel

By:  _____
Deputy County Counsel

Date: 2/15/06

B-13
9

**NOTICE OF INTENTION TO SURPLUS AND SELL
COUNTY-OWNED REAL PROPERTY IN THE
UNINCORPORATED AREA OF PASO ROBLES**

Notice is hereby given, pursuant to California Government Code section 6063 that the County of San Luis Obispo intends to sell a County-owned one-acre vacant lot, APN 015-143-014, to the highest qualified bidder. The lot is located at 5845 Reindeer Place in the outskirts of Paso Robles near Geneseo Road. It is zoned Agricultural and may be developed with a single-family residence, subject to Planning conditions and road access.

A description of the property and other details are on file in the office of the County Department of General Services, located at 1087 Santa Rosa Street, San Luis Obispo. The minimum bid price is set at \$130,000. All sealed bids are due to the County Department of General Services located at the above-referenced address on or before Monday, April 10, 2006 at 5:00 PM. The County Board of Supervisors intends to conduct the Auction of said real property at a regular meeting of said Board occurring in the Board Chambers, New County Government Center, 1055 Monterey Street, San Luis Obispo, at 9:00 AM, or as soon as possible thereafter, on Tuesday, April 11, 2006. The sealed bids will be presented at the Board of Supervisors meeting and oral bids will be called for before the final acceptance of any written proposal.

Questions may be directed to the Real Property Services Division at 781-4688 or by fax to (805) 781-1364 or by e-mail to lv fleet@co.slo.ca.us.

DATE: _____

JULIE L. RODEWALD, County Clerk-Recorder
and Ex-Officio Clerk of the Board of Supervisors

By: _____,
Deputy Clerk-Recorder

B-13
10